



(DRAFT) MINUTES (DRAFT)

Citizen Review Board Meeting
Old City Hall, 510 Greene Street

Monday, June 7, 2010

6:00 p.m.

1. MEETING CALLED TO ORDER AT 6:00 P.M.

2. ROLL CALL

BOARD MEMBERSHIP /AGENTS PRESENT:

Dr. Bryan Green

Virginia Altobello

Dr. Mark Kielsgard

Hayward Magby

Susan Srch

Robert Cintron, Attorney for the Board

Stephen Muffler, Executive Director of the Board

ADDITIONAL ATTENDEES:

Inspector Randy Smith KWPD -IA

Yvonne Edwards

Tangela Edwards

Kevin Collins

Shahddaroba Rodd

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES:

- a. Approval of the CRB Minutes for the meeting of May 24, 2010

Dr. Mark Kielsgard moved to approve the Minutes as written and no objections to the same

Passes by Unanimous Consent

5. TRACKING CHART REVIEW

Chairman Green reviewed the tracking chart with the Board members and no new complaints have been filed with the CRB since last meeting.

6. CONTINUED OR NEW BUSINESS

- a. File Review: **CRB 09-008** Yvonne Edwards:

Virginia Altobello summarized the file for the Board members. Dr. Kielsgard summarized what he felt were the issues involved with this particular complaint. Chairman Green asked Yvonne Edwards to explain her complaint to the Board. Ms. Edwards explained her complaint and the events of the subject day in question. The Board members generally questioned Ms. Edwards on specific issues/events. Ms. Edwards stated that the police did not knock or ask for permission to come in the 2nd time to arrest Shamika Clark. Ms. Edwards questioned why the police did not arrest Shamika Clark outside the structure when the police had two (2) separate opportunities to do so, instead of waiting to invade her house/structure. Ms. Edwards explained that police officers were wearing ski masks which covered their entire face with holds for the eyes and had no police markings on them signifying law enforcement officers. Ms. Edwards explained that her neighbor Pamala Bailey saw the police observe Shamika Clark outside the premises while Shamika traveled to/from the structure to an occupied truck in the street twice and the police did not act to arrest Shamika Clark outside when they had the chance to do so.

Inspector Randy Smith stated that there was no record of a truck and its driver being at the scene as Ms. Edwards had claimed. Inspector Randy Smith could not comment on why the officers waited until Shamika Clark was inside the structure to arrest her and he questioned if the officers were even outside when Shamika Clark allegedly went back and forth from the structure. Ms. Edwards told the Board that one officer used his foot to close the bathroom door with Shamika Clark inside with the other officers. Ms. Edwards stated that one officer who was very “nasty” and directed another officer to “get her the fuck out of the house” during the raid. Ms. Edwards explained that she was disturbed by the fact that one of the officers was going through Ms. Edwards’ personal belongings in the bathroom area after Shamika Clark was taken into custody.

Ms. Edwards explained that Tangela Edwards left the house when the police entered the structure. Ms. Edwards felt the police were acting like Nazis. She felt Shamika Clark was being treated like public enemy number one and that the police mishandled the entire arrest of Shamika Clark.

Tangela Edwards stated that she left the house when the officers came in, but was in the house when Shamika Clark first came into the house and went back and forth between the house and the outside truck. Tangela Edwards stated that she did not hear the officers knock on the door before coming in to arrest Shamika. Tangela Edwards stated that she could see the police officers outside her window prior to them entering through the side door.

Attorney Cintron suggested to the Board that a few material witnesses were not interviewed and that the Board should consider deferring this matter until they are heard from, or at least there is an attempt to secure, their statements. Dr. Mark Kielsgard felt that the neighbor, Pamela Bailey, should be located and asked some questions. Inspector Smith stated that Ms. Bailey was uncooperative and refused to even talk to him about this matter when he visited her at her house. The Board generally agreed that three witness’ statements are missing (truck operator [if he exists or can be located], Pamala Bailey and Shamika Clark) and these missing statements would be helpful to understand this complaint and file. The Board felt that efforts to secure these statements should be made before they proceed to make any findings relative to this complaint.

Motion to continue the complaint review process on this particular file until such time as there are attempts made to secure the necessary statements, including the use of subpoenas if necessary by the CRB attorney to accomplish this goal in his discretion, and such authority is graded if needed moved by Dr. Mark Kielsgard and seconded by Hayward Magby.

PASSES: Unanimously

b. Election of New Officers:

Chairman Green opened the floor for nominations for CRB Chairperson and no other nominations were received other than Sue Srch. The Board unanimously consented to the appointment of Sue Srch as the CRB Chairperson for the upcoming year period. The Board felt it was proper to wait until the next meeting to elect a vice chair.

7. COUNSEL'S REPORT

NONE.

8. CHAIRMAN'S REPORT

Chairman Green thanked Dr. Mark Kielsgard for his efforts over the years and serving on the CRB and the Board generally wished him good luck in his future endeavors.

9. BOARD MEMBERS REPORT/GENERAL COMMENTS

NONE

10. EXECUTIVE DIRECTOR'S REPORT

Executive Director explained that the Yvonne Edwards file would be re-scheduled for July 26, 2010 CRB meeting and the Rodd complaint would be re-reviewed, as to the portion involving Officer Leahy, at the next CRB Meeting on June 28, 2010. The Executive Director stated that the budget negotiations are proceeding and the goal is to secure the same CRB budget as last year with additional funds for a raise to the Executive Director. The Executive Director informed the Board that the City Commission is going to select two (2) CRB appointees at its upcoming meeting June 15, 2010.

11. PSO/IA COMMENTS/FOLLOW-UP

NONE

12. PUBLIC INPUT

NONE

13. MEDIA AND PRESS QUESTIONS

NONE

14. ADJOURNMENT

Adjourned at 7:36 p.m.

Respectfully Submitted

Stephen C. Muffler, Esquire
Executive Director